

REC'D TN  
REGULATORY AUTH.  **BELLSOUTH**

BellSouth Telecommunications, Inc. 615 214-6301  
Suite 2101 Fax 615 214-7406  
333 Commerce Street  
Nashville, Tennessee 37201-3300

'99 FEB 5 PM 1 58

Guy M. Hicks  
General Counsel

OFFICE OF THE  
EXECUTIVE SECRETARY

February 3, 1999

Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

99-00087

Re: Approval of the Amendment to the Resale Agreement Negotiated by BellSouth Telecommunications, Inc. and Communications Brokerage Services, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
Docket No. ~~98-00297~~

Dear Mr. Waddell:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, Communications Brokerage Services, Inc. and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority the original and thirteen copies of the attached Petition for Approval of the Amendment to the Resale Agreement dated March 19, 1998. The Amendment provides for the reuse of facilities.

Sincerely yours,

COMMUNICATIONS BROKERAGE  
SERVICES, INC.

BELLSOUTH TELECOMMUNICATIONS,  
INC.

BY: \_\_\_\_\_

Thomas M. Baldrige  
3381 Southall Road  
Franklin, Tennessee 37064

BY: \_\_\_\_\_

Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

**© BELLSOUTH**

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Nashville, Tennessee 37201-3300

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Re: Approval of the Amendment to the Resale Agreement Negotiated by BellSouth Telecommunications, Inc. and Communications Brokerage Services, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.  
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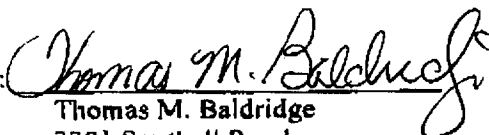
Dear Mr. Waddell:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, Communications Brokerage Services, Inc. and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority the original and thirteen copies of the attached Petition for Approval of the Amendment to the Resale Agreement dated March 19, 1998. The Amendment provides for the reuse of facilities.

Sincerely yours,

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SERVICES, INC.

BELLSOUTH TELECOMMUNICATIONS,  
INC.

BY:   
Thomas M. Baldrige  
3381 Southall Road  
Franklin, Tennessee 37064

BY: \_\_\_\_\_  
Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee

In re: *Approval of Amendment to the Resale Agreement Negotiated by BellSouth Telecommunications, Inc. and Communications Brokerage Services, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996*

Docket No. 98-00297

**PETITION FOR APPROVAL OF AMENDMENT TO THE RESALE AGREEMENT**  
**NEGOTIATED BETWEEN**  
**BELLSOUTH TELECOMMUNICATIONS, INC.**  
**AND COMMUNICATIONS BROKERAGE SERVICES, INC.**  
**PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996**

COME NOW, Communications Brokerage Services, Inc. ("Communications Brokerage") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Resale Agreement dated March 19, 1998 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, Communications Brokerage and BellSouth state the following:

1. Communications Brokerage and BellSouth have successfully negotiated an agreement providing for the resale of BellSouth's telecommunications services to Communications Brokerage. The Resale Agreement was approved by the Tennessee Regulatory Authority ("TRA") on June 30, 1998 and an Amendment to the Resale Agreement modifying the Operational Support Systems (OSS) Rates Table in Exhibit A of the Resale Agreement was approved by the TRA on September 1, 1998.
2. The parties have also recently negotiated a second amendment to the Resale Agreement providing for the reuse of facilities. A copy of the Amendment is attached hereto and incorporated herein by reference.
3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, Communications Brokerage and BellSouth are submitting their Amendment to the TRA for its consideration and approval.

4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between Communications Brokerage and BellSouth within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.

5. Communications Brokerage and BellSouth aver that the Amendment is consistent with the standards for approval.

6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

Communications Brokerage and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This 4th day of February, 1999.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300  
615/214-6301  
Attorney for BellSouth

COMMUNICATIONS BROKERAGE SERVICES, INC.

By: \_\_\_\_\_

Thomas M. Baldrige  
3381 Southall Road  
Franklin, TN 37064  
615/320-0334

4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between Communications Brokerage and BellSouth within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.

5. Communications Brokerage and BellSouth aver that the Amendment is consistent with the standards for approval.

6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

Communications Brokerage and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This 4<sup>th</sup> day of February, 1999.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: \_\_\_\_\_  
Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300  
615/214-6301  
Attorney for BellSouth

COMMUNICATIONS BROKERAGE SERVICES, INC.

By: Thomas M. Baldrige  
Thomas M. Baldrige  
3381 Southall Road  
Franklin, TN 37064  
615/320-0334

AMENDMENT TO  
RESALE AGREEMENT BETWEEN  
BELLSOUTH TELECOMMUNICATIONS, INC.  
AND COMMUNICATIONS BROKERAGE SERVICES  
DATED MARCH 19, 1998

Pursuant to this Agreement (the "Amendment"), BellSouth Telecommunications, Inc. ("BellSouth or Company") and Communications Brokerage Services ("CBS") hereinafter referred to collectively as the "Parties" hereby agree to amend that certain Resale Agreement between the Parties dated March 19, 1998 ("Resale Agreement").

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, BellSouth and CBS hereby covenant and agree as follows:

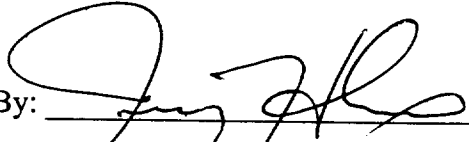
1. The parties hereby agree that Section VIII.A of the Resale Agreement is amended by inserting the following sentence as Subsection 6 at the end of Section VIII.A

BellSouth may disconnect and reuse facilities when the facility is in a denied state and BellSouth has received an order to establish new service or transfer of service from a customer or a customer's CLEC at the same address served by the denied facility.

2. The Parties agree that all of the other provisions of the Resale Agreement, dated March 19, 1998, shall remain in full force and effect.
3. The Parties further agree that either or both of the Parties is authorized to submit this Amendment to the appropriate Commission or other regulatory body having jurisdiction over the subject matter of this Amendment, for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

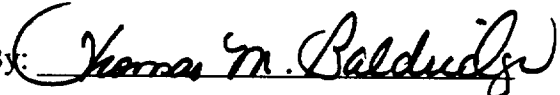
IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below

\_\_\_\_\_  
BELLSOUTH TELECOMMUNICATIONS, INC.

By:   
\_\_\_\_\_  
Jerry D. Hendrix - Director

DATE: 10/13/98

\_\_\_\_\_  
COMMUNICATIONS BROKERAGE  
SERVICES

By:   
\_\_\_\_\_

DATE: 11/23/98